

George Jarvis (J).. Austin, esq. (TBA) 10/31/20
Austin v. TESLA, et al., Case No. 3:20-cv-00800
240 E. Channel St. #1354 Stockton, CA 95202

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. AUSTIN, Plaintiff,

OBJECTION TO DEFENDANT
TESLA's MOTION

Re: Dkt. Nos. 40-43

v.

TESLA, et al., Defendants.

Case No. 3:20-cv-00800

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Pursuant to *Federal Rules of Civil Procedure, Rules 7, 8, 11, and 12* Plaintiff moves to Object broadly to Defendant Tesla's Motion, and Proposed Order. Plaintiff files a broad objection to Defendant Tesla's motion as it appears non-responsive to the operative Amended Complaint pleading, and makes several factual, procedural, and legal errors (including those more aptly handled by the finders of fact, in this case the Plaintiff demanded Jury Trial). The operative pleading, which already directly addresses many of the questions, and assertions, raised by Defendant Tesla, has already passed the *Twombly* and *Iqbal* standards for pleading and the Honorable Judge Chen's Judicial Review. However, Plaintiff shall further file a detailed and even more precise, and directly responsive, opposition to Defendant Tesla's proposed order, and motion addressing separately, and directly, each raised issue in reference to Defendant Tesla, who bears responsibility for its agents, via respondeat superior (including Defamatory Per Se Statements made with malice which destroy any type of immunity, and are fundamentally against public policy). Plaintiff shall also file a motion for clarification with the Court to clarify whether Tesla, and other Defendants, have been properly served with operative Amended Complaint pleadings, as ordered by Honorable Judge Chen (as they seem to assert they have not been). Lastly, in response to the series of filings by Defendant, Tesla, (Dockets 40-43) Plaintiff shall file a requested proposed order for proper service in case Defendant Tesla in fact has not been served, or served properly.